



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,065	06/20/2001	Yoshiaki Hirano	35.C15463	1688

5514 7590 02/05/2007
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

MILIA, MARK R

ART UNIT	PAPER NUMBER
----------	--------------

2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/884,065	Applicant(s) HIRANO, YOSHIAKI	
	Examiner Mark R. Milia	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/16/07 has been entered. Currently, claims 16-29 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 22-29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The current amendment adds limitations relating to portrait print sheets and landscape print sheets. No mention of portrait or

landscape print sheet exists in the specification. The specification discloses rotation of image data and the transfer of such image data between three memories. Rotation of image data is not the same as a portrait or landscape print sheet as portrait and landscape refer to the actual sheet and the rotation relates to the image data itself. It is possible to rotate an image and not rotate the print sheet and vice versa. Therefore, these limitations are considered to be new matter.

Response to Arguments

4. Applicant's arguments filed 1/16/07 have been fully considered but they are not persuasive.

The applicant asserts that the reference of Sato (US 6809834) fails to teach or suggest "wherein said transfer unit includes a third memory for storing the image data with the first orientation read from the first memory, and reads the image data from the said third memory as image data with a second orientation for performing image rotation and transfers the rotated read image data with the second orientation to the said second memory", as recited in claim 16. The examiner respectfully disagrees as Sato does disclose such a feature. Particularly, Sato discloses a first memory (image memory 7) that receives and stores image data (see column 2 lines 30-33), the image data inherently has a first orientation, an engine unit having a second memory for storing the image data (buffers 31 and/or 32 located within plotter 2) that will be printed, and a third memory (page memory 8) that stores image data received from image memory "7" and

along with a transfer unit (DMA controller 10) transfers the image data to a vertical/horizontal converting section "9" to be rotated, and thus now is in a second orientation, transfers the image data back to page memory "8", and then finally transfers the image data to plotter "2" (buffer 31 within plotter 2) (see column 2 lines 30-55, column 3 lines 21-60, and column 4 lines 25-44).

The applicant also asserts that Sato fails to teach or suggest "wherein said transfer unit includes a third memory for storing the image data for the portrait print sheet read from the said first memory, and reads the image data from said third memory as image data for a landscape print sheet and transfers the read image data for the landscape print sheet to said second memory without transferring the read image data to said first memory if printing is performed on a landscape print sheet, and reads the image data from said third memory as image data for the portrait print sheet and transfers the read image for the portrait print sheet data to said second memory if printing is performed on a portrait print sheet", as recited in claim 22. The examiner respectfully disagrees as Sato does disclose such a feature. First, the use of "for a portrait print sheet" and "for a landscape print sheet" is intended use and thus does not hold any patentable weight. The system of Sato could be used to print on both portrait and landscape print sheets, both of which are well known and commonly used in the art. Further, Sato discloses a first memory (image memory 7) that receives and stores image data (see column 2 lines 30-33), the image data inherently has a first orientation, which may be for a portrait print sheet, an engine unit having a second memory for storing the image data (buffers 31 and/or 32 located within plotter 2) that will be printed,

and a third memory (page memory 8) that stores image data received from image memory "7" and along with a transfer unit (DMA controller 10) transfers the image data to a vertical/horizontal converting section "9" to be rotated, and thus now is in a second orientation, which may be for a landscape print sheet, transfers the image data back to page memory "8", and then finally transfers the image data to plotter "2" (buffer 31 within plotter 2) (see column 2 lines 30-55, column 3 lines 21-60, and column 4 lines 25-44).

Therefore, Sato anticipates the claims as currently set forth in claims 16 and 22.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 16-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato (US 6809834).

Regarding claim 16, Sato discloses a printer comprising: a control unit having a first memory for storing image data with a first orientation generated based on print data received from an external apparatus and a transfer unit for performing DMA-transferring of the image data with the first orientation read from the first memory (see Fig. 1 (7) and column 2 lines 30-33), and an engine unit having a second memory for storing the image data received from said control unit and a print engine for printing the image data stored in the second memory (see Fig. 1 (2), column 3 lines 48-61, and column 4 lines

Art Unit: 2625

25-44), and wherein said transfer unit includes a third memory for storing the image data with the first orientation read from the first memory, and reads image data from said third memory as image data with a second orientation for performing image rotation and transfers the image data with the second orientation to said second memory (see Fig. 1 (8), column 2 lines 34-35, 47-55, and 61-64, column 3 lines 31-40, column 4 lines 52-59, and column 5 lines 4-20).

Regarding claim 19, Sato discloses a control method carried out in a printer that comprises a control unit having a first memory for storing image data with a first orientation generated based on print data received from an external apparatus and a transfer unit for performing DMA-transferring of the image data with the first orientation read from the first memory, and an engine unit having a second memory for storing the image data received from the control unit and a print engine for printing the image data stored in the second memory (see Fig. 1, column 2 lines 30-33, column 3 lines 48-61, and column 4 lines 25-44) said method comprising: a storing step of storing the image data with the first orientation read from the first memory in a third memory (see column 2 lines 30-35), a controlling step of reading the image data from the third memory as image data with a second orientation for performing image rotation (see column 2 lines 40-55, column 3 lines 30-40, and column 5 lines 4-20), and transferring the read image data with the second orientation to the second memory (see column 3 lines 30-40, column 4 lines 25-44 and 52-59, and column 5 lines 4-20).

Regarding claim 22, Sato discloses a printer comprising: a control unit having a first memory for storing image data for a portrait print sheet generated based on print

Art Unit: 2625

data received from an external apparatus and a transfer unit for performing DMA-transferring of the image data with the first orientation read from the first memory (see Fig. 1 (7) and column 2 lines 30-33, "for a portrait print sheet" is intended use, which the system of Sato is capable of performing), and an engine unit having a second memory for storing the image data received from said control unit and a print engine for printing the image data stored in said second memory (see Fig. 1 (2), column 3 lines 48-61, and column 4 lines 25-44), and wherein said transfer unit includes a third memory for storing the image data for the portrait print sheet read from said first memory, and reads the image data from said third memory as image data for a landscape print sheet and transfers the read image data for the landscape print sheet to said second memory without transferring the read image data to said first memory if printing is performed on a landscape print sheet, and reads the image data, from said third memory as image data for the portrait print sheet and transfers the read image for the portrait print sheet data to said second memory if printing is performed on a portrait print sheet (see Fig. 1 (8), column 2 lines 34-35, 47-55, and 61-64, column 3 lines 31-40, column 4 lines 52-59, and column 5 lines 4-20, "for a landscape print sheet" is intended use, which the system of Sato is capable of performing).

Regarding claim 26, Sato discloses a control method carried out in a printer that comprises a control unit having a first memory for storing image data for a portrait print sheet generated based on print data received from an external apparatus and a transfer unit for performing DMA-transferring of the image data with the first orientation read from the first memory, and an engine unit having a second memory for storing the

Art Unit: 2625

image data received from the control unit and a print engine for printing the image data stored in the second memory (see Fig. 1, column 2 lines 30-33, column 3 lines 48-61, and column 4 lines 25-44), said method comprising: a storing step of storing the image data for the portrait print sheet read from the first memory in a third memory (see column 2 lines 30-35), a transferring step of reading the image data from the third memory as image data for a landscape print sheet and transferring the read image data for the landscape print sheet to the second memory without transferring the read image data to the first memory if printing is performed on a landscape print sheet, and reading the image data, from the third memory as image data for the portrait print sheet and transferring the read image data for the portrait print sheet to the second memory if printing is performed on a portrait print sheet (see column 3 lines 30-40, column 4 lines 25-44 and 52-59, and column 5 lines 4-20).

Regarding claims 17, 20, 23, and 27, Sato further discloses a parallel interface for connecting said control unit and said engine unit to each other (see Fig. 1).

Regarding claims 18, 21, 24, and 28, Sato further discloses wherein said transfer unit includes a plurality of the third memories and wherein said transfer unit transfers one body of image data from one of the plurality of third memories to said second memory, while other image data from said first memory is stored in another of the plurality of third memories (see column 4 lines 25-44).

Regarding claims 25 and 29, Sato further discloses wherein said engine unit informs said control unit whether the rotation is required (see column 3 lines 31-40).

Conclusion

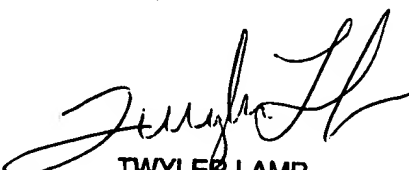
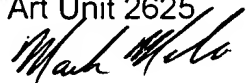
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRM

Mark R. Milia
Examiner
Art Unit 2625



TWYLER LAMB
SUPERVISORY PATENT EXAMINER